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3744
Duplicate
#12

January 30, 2004

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FEB 11 2004

TECHNOLOGY CENTER R3700

Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Re: Patent Application Ser. No. 08/983,332, filed 3/5/98
CIRCUIT APPARATUS AND CONFIGURATION FOR
REFRIGERATOR SYSTEMS
Docket No. ZI056/96001

Dear Sir:

Enclosed are:

1. Transmittal letter;
2. Status Inquiry and Request for Decision on Petition;
3. Certificate Under 37 CFR 1.8(a);
4. Copy of Status Inquiry dated September 23, 2002;
5. Copy of return postcard date stamped by PTO Sept. 30, 2002;
6. Copy of Petition to Withdraw Holding of Abandonment Based On Failure to Receive Office Action and related papers, dated June 19, 2000;
7. Copy of return postcard date stamped by PTO June 19, 2000;
8. Statement Under 37 CFR 3.73(b);
9. Power of Attorney and Correspondence Address Indication Form;
10. Recordation Form Cover Sheet, authorizing \$40 fee to be charged to deposit account;
11. Assignment of Patent Rights (from Ice One, Inc. to Tube Ice, LLC);
12. Return receipt post card

Respectfully submitted,

H. Roy Berkenstock
Reg. No. 24,719

/lv

Enclosures

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Lexington, KY 40507-1746
859.233.2012

918 State Street
Bowling Green, KY 42101
270.842.1050

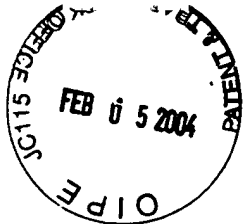
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New Albany, IN 47150-3610
812.945.3561



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Richard L. Cloud

Filed: **March 5, 1998**

Serial No. **08/983,332**

For: **CIRCUIT APPARATUS AND
CONFIGURATION FOR
REFRIGERATOR SYSTEMS**

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Art Unit: **3744**

Examiner: **Shulman, M.**

Attorney Docket No.: **A02221US**

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STATUS INQUIRY
REQUEST FOR DECISION ON PETITION

Commissioner of Patents
P. O. Box 1450
Arlington, VA 22313-1450

Dear Sir:

This office has recently taken over the responsibility for prosecution of the above identified application. Review of the file reflects that a Petition to Withdraw a Holding Of Abandonment was filed June 19, 2000 by counsel holding the Power of Attorney of Applicant, and there is no indication in the file that Applicant received any action on the Petition. The undersigned is supplying a copy of that Petition and the related papers.

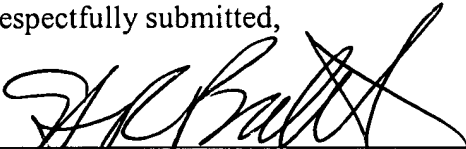
On or about September 23, 2002, new counsel assumed the responsibility for prosecution of the identified application and on September 23, 2002 filed a Status Inquiry for the application. It is not clear whether the attorney included a copy of the Petition with the Status Inquiry. A copy of the Status Inquiry is enclosed.

The undersigned is today filing with this request a Power of Attorney executed by Assignee of the present application, and advises that a copy of the assignment of the application by the original Applicant (the inventor) to the Assignee (Ice One, Inc.) was recorded at Reel 9340/Frame 0295. A

subsequent assignment from Ice One, Inc. to Tube Ice, LLC is concurrently being filed for recording at the Patent Office.

If the Examiner feels that a telephone conference with Applicant's attorney would advance the prosecution of the application, he is invited to call the undersigned at 901-537-1108.

Respectfully submitted,



H. Roy Berkenstock

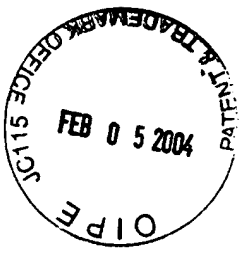
Registration No. 24,719

ENCL.: Petition to Withdraw Holding of Abandonment
 Status Inquiry

Date: January 30, 2004

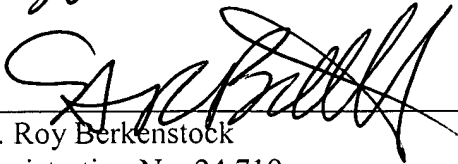
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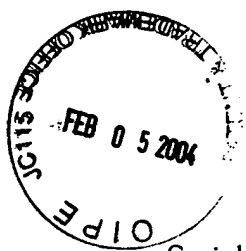


CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 30, 2004.



H. Roy Berkenstock
Registration No. 24,719



PATENT

Serial No.: 08/983,332
Filed: March 5, 1998
Examiner: M. Shulman
Art Unit: 3744
Applicant: Richard L. Cloud
Title: CIRCUIT APPARATUS AND CONFIGURATION FOR
REFRIGERATOR SYSTEMS

Cincinnati, Ohio 45202

September 23, 2002

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231
Sir:

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STATUS INQUIRY

Our office recently took over the above-identified file in 2001. In a routine check, we find that we have not received any U.S. Patent and Trademark Office communication or response to the Petition to Withdraw the Holding of Abandonment. We are concerned with the possibility that an Office Action was issued and possibly misplaced or lost in the mail. Kindly check your files and let us know the status of this case. If any Action has been issued, it would be appreciated if an additional copy could be sent to the undersigned, or advise when we can expect to receive an Action.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

David S. Stallard, Registration No. 25,930
Attorney for Applicant Richard L. Cloud
and Tube Ice, LLC

2700 Carew Tower
Cincinnati, OH 45202
(513) 241-2324

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on September 23, 2002

Barbara Vogel

Sept 23.02
Date



APPLICATION SERIAL NO. 08/983,332

the stamp of the Patent Office hereon, may be taken as acknowledging the receipt, on the date stamped, of the following documents:

APPLICANT: Richard L. Cloud
FILED: 3/5/1998
FOR: CIRCUIT APPARATUS AND CONFIGURATION FOR REFRIGERATOR
SYSTEMS

ENCLOSURES: Status Inquiry w/Certificate of Mailing and postcard

DATE: September 23, 2002
FILE TUBE

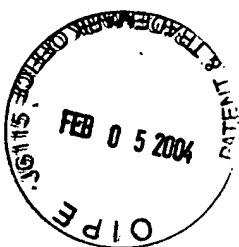


ATTORNEY: DSS/109
WOOD, HERRON & EVANS, L.L.P.

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FEB 11 2004

TECHNOLOGY CENTER R3700



Please type a plus sign (+) inside this box → **+**

PTO/SB/21 (6-98)
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TECHNOLOGY CENTER R3700

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	08/983,332
	Filing Date	03/05/98
	First Named Inventor	CLOUD
	Group Art Unit	3744
	Examiner Name	M. SHULMAN
Total Number of Pages in This Submission	Attorney Docket Number	ZK546/00000

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	*PETITION TO WITHDRAW HOLDING OF ABANDONMENT
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	*RETURN POSTCARD
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	JAMES R. HIGGINS, JR, REG. NO. 29,264
Signature	<i>James R. Higgins</i>
Date	6-19-00

CERTIFICATE OF MAILING	
I hereby certify that this correspondence envelope addressed to: Assistant Comm.	
EL411591049US	
Typed or printed name	Lynn Minton
Signature	<i>Lynn Minton</i>
Date	6-19-00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.